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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/180,011	10/29/98	LOOPSTRA	E PHQ98004

MM22/0303

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EXAMINER

KIM, P

ART UNIT PAPER NUMBER

2851

6

DATE MAILED: 03/03/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/180,011

Applicant(s)
Loopstra et al.

Examiner
PETER KIM

Group Art Unit
2851

☐ Responsive to communication(s) filed on _____

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-6 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-6 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Priority

1. Receipt is acknowledged of a certified copy of the European application included. If this copy is being filed to obtain the benefits of the foreign filing date under 35 U.S.C. 119(a)-(d), applicant should also file a claim for such priority as required by 35 U.S.C. 119(b) and referred to the foreign application in the declaration or the oath.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length or 25 lines since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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4. Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 6, which depends on Claim 1, claims a lithographic device while Claim 1 claims a positioning device.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Fickenscher.

Fickenscher discloses in column 3, lines 11-25, column 4, lines 30-37 and Figure 1, a positioning device with a guiding surface and a first and a second object holder. Fickenscher discloses displacement units where the first displacement unit places an object in an intermediate position from a first position and the second displacement unit places the object into a second position.

7. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Akimoto.

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Akimoto discloses in column 4, line 61 through column 5, line 65, a positioning device with a guiding surface and a first (ref. 21) and second (ref. 61) object holder. Akimoto discloses displacement units where the first displacement unit places an object in an intermediate position (ref. 51) from a first position and the second displacement unit places the object into a second position.

8. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Loopstra et al. (Loopstra).

Loopstra discloses in Figures 4 and 5, the claimed invention.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1, 2 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akimoto in view of Lin.

Akimoto discloses in column 4, line 61 through column 5, line 65, a positioning device with a guiding surface and a first (ref. 21) and second (ref. 61) object holder. Akimoto discloses displacement units where the first displacement unit places an object in an intermediate position (ref. 51) from a first position and the second displacement unit places the object into a second position. However, Akimoto does not disclose a lithographic device with a radiation source, a

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mask holder, a focusing unit, a characterization unit and a positioning device. Akimoto also does not disclose displacement unit comprising X- and Y- motors. Lin discloses a lithographic device with a radiation source, a mask holder, a focusing unit, a characterization unit and a positioning device. Lin also discloses X- and Y- motors to move the object holders. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide the X- and Y- motors of Lin to the invention of Akimoto in order to displace the object holders.

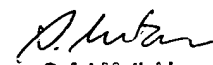
Conclusion

11. All claims are rejected.
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Kim whose telephone number is (703) 305-0105. The examiner can normally be reached on Monday-Thursday from 6:30 AM to 4:00 PM. The examiner can also be reached on alternate Fridays during the same hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436 . Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956 .


PBK

2/15/00


Safet Metjahic
Supervising Technical Examiner
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